

Notice of Allowability

Application No.

09/914,753

Applicant(s)

BROOKNER ET AL.

Examiner

Mary Cheung

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE file on 10 February 2006.
2. ☒ The allowed claim(s) is/are 1,20-36 and 39-72.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with William Knotts on April 28, 2006.

3. The application has been amended as follows:

In line 22 of claim 20, the phrase "the data center" has been changed to read --a postage data center--;

In line 22 of claim 20, the word "the" before the phrase "at least" has been deleted;

In line 23 of claim 20, the phrase --related to the consumption of the postal resources-- has been inserted after the word "record";

In line 2 of claim 29, the phrase --the method comprising-- has been inserted after the word "resources";

In line 10 of claim 29, the word "the" has been deleted;

In line 10 of claim 29, the word "record" has been changed to read --of the records of the postal resources consumed--;

In line 13 of claim 29, the phrase --from the data center-- has been inserted after the word "resources";

In line 5 of claim 39, the phrase --for settlement of charges-- has been inserted before the word "and";

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In line 5 of claim 39, the phrase --for storage of at least one nonresettable record from each device-- has been inserted after the phrase "second system";

In line 7 of claim 39, the word --the-- has been inserted after the word "forming".

REASONS FOR ALLOWANCE

4. Claims 1, 20-36 and 39-72 are pending and are allowed.

5. The following is an examiner's statement of reasons for allowance:

The closest prior art of Liechti (U. S. Patent 5,715,164) teaches host computer collects statistical data from each postage meter, and impose a cumulative postage amount limit, a time limit and a piece limit on the postage meter.

In regarding to independent claims 1, 20, 29, 39 and 49, Liechti taken either individually or in combination with other prior art of record fails to teach or suggest a memory for providing a value indicative of the consumption of postal resources, wherein the memory includes only non-resettable ascending register and no descending register; a settlement center for settling the charges based on the consumption of postal resources; and there is no prepayment of postage funds by the user and the user is billed based on the value indicative of the consumption of postal resources provided by the memory.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Crowley et al. (U. S. Patent 4,525,786) discloses electronic postage meter having a one time operating program to enable setting of critical accounting registers to predetermined values.

Article titled "The Meter is Running" by John Derrick (Office Systems, v11n9, pp 32-40, September 1994, ISSN: 8750-3441).

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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The fax phone number for the organization where this application or proceedings is assigned are as follows:

(571) 273-8300 (Official Communications; including After Final
Communications labeled "BOX AF")

(571) 273-6705 (Draft Communications)

Mary Cheung
Primary Examiner
Art Unit 3621
April 28, 2006



MARY D. CHEUNG
PRIMARY EXAMINER